

HOUSE BILL NO. 402

INTRODUCED BY J. MANGAN, BOHLINGER, R. JOHNSON

A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING THE EXEMPTION FOR JUVENILE DETENTION OFFICERS WHO ARE EMPLOYED IN A JUVENILE DETENTION CENTER FROM BASIC DETENTION OFFICER TRAINING FOR 2 YEARS UNDER CERTAIN CONDITIONS; REQUIRING BASIC TRAINING OR TRAINING UNDER THE EXEMPTION; REQUIRING THE BOARD OF CRIME CONTROL TO CONDUCT A STUDY OF JUVENILE DETENTION TRAINING; AMENDING SECTION 44-4-303, MCA, AND SECTION 5, CHAPTER 469, LAWS OF 1999; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 44-4-303, MCA, is amended to read:

"44-4-303. (Temporary) Temporary exemption for juvenile detention officers. (1) Except as provided in subsection (2), a juvenile detention officer shall in the first year of employment complete a 120-hour basic training course as required in 44-4-301.

(2) A juvenile detention officer employed by a juvenile detention center is exempt from the requirements for certification and basic detention officer training provided for in 44-4-301 on the following conditions:

(a) The juvenile detention officer shall in the first year of employment satisfactorily complete ~~the~~ a 120-hour training provided for in this section program that was developed by a juvenile detention center prior to January 1, 2001, based on training approved by a nationally recognized professional association for juvenile detention officers.

~~(b) The juvenile detention center that employs the juvenile detention officer shall develop and conduct a training program based on training approved by a nationally recognized professional association for juvenile detention officers. The training program must include goals, objectives, a curriculum outline, and a budget. If more than one juvenile detention center chooses to develop and conduct a training program, those centers shall work cooperatively to develop one curriculum for the purposes of this section.~~

~~(c)~~(b) The jurisdiction that administers and operates the juvenile detention center shall assume the responsibility and cost for administering a training program for the juvenile detention officers employed

1 in a juvenile detention facility and any associated liability related to the training.

2 ~~(d)(c)~~ The juvenile detention center shall submit quarterly reports on the ~~progress of the~~
3 ~~development and implementation of a training program provided for in subsection (1)(b) (2)(a)~~ to the board
4 of crime control, ~~peace officer standards and training council, youth justice council, and Montana law~~
5 ~~enforcement academy.~~

6 ~~(e)~~ The juvenile detention center shall present a final report to the board of crime control, peace
7 officer standards and training council, youth justice council, and Montana law enforcement academy by
8 October 1, 2000, that includes the goals, objectives, curriculum, and budget and any findings,
9 recommendations, and suggested legislation.

10 ~~(f)(d)~~ The jurisdiction that operates and administers a juvenile detention center training program
11 ~~shall agree to allow the board of crime control, peace officer standards and training council, and youth~~
12 ~~justice council to contract, at the expense of the board of crime control, for an evaluation of the curriculum~~
13 ~~and training program by an outside party who has both adult and juvenile detention experience and to~~
14 ~~cooperate with the evaluation process. cooperate with the study and evaluation process conducted by the~~
15 board of crime control.

16 ~~(2)~~ The board of crime control, peace officers standards and training council, and youth justice
17 council shall present a report of its findings, recommendations, and suggested legislation regarding training
18 ~~for juvenile detention officers who are employed in juvenile detention centers to the 57th legislature.~~

19 (3) A county that complies with this section is eligible for reimbursement through the state grants
20 for youth detention services provided for in Title 41, chapter 5, part 19, to the same extent that training
21 received pursuant to 44-4-301 is reimbursable. (Terminates June 30, 2001--sec. 5, Ch. 469, L. 1999.)"

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23 NEW SECTION. **Section 2. Board to conduct study.** The board of crime control shall:

24 (1) appoint a nine-member study task force that is composed of:

25 (a) two members of the board of crime control, one of whom must be designated by the board's
26 presiding officer to serve as the study task force presiding officer;

27 (b) a member of the peace officers standards and advisory training council;

28 (c) a member of the youth justice council;

29 (d) two juvenile detention center administrators who represent different geographical areas of the
30 state;

(e) the administrator of the Montana law enforcement academy;

(f) a representative from the department of corrections; and

(g) a representative of the Montana juvenile probation officers association;

(2) assist the study task force in conducting a study of juvenile detention training issues in Montana that includes but is not limited to the following topics:

(a) the general background and current practices of juvenile detention training in Montana;

(b) the general background and current practices related to juvenile detention training in other states;

(c) an examination and analysis of the similarities and differences between the curriculum of offerings of the Montana law enforcement academy related to juvenile detention officer training and the Yellowstone County youth services center pilot program as it existed on June 30, 2001;

(d) an analysis of the various alternatives available for the delivery of quality, cost-effective training for juvenile detention officers; and

(e) an analysis of the administrative and fiscal impacts of the alternatives to delivering juvenile detention officer training; and

(3) present a report of its findings, recommendations, and suggested legislation regarding training for juvenile detention officers who are employed in juvenile detention centers to the appropriate interim committee by August 15, 2002, and to the 58th legislature.

Section 3. Section 5, Chapter 469, Laws of 1999, is amended to read:

"Section 5. Termination. [This act] terminates June 30, ~~2004~~ 2003."

NEW SECTION. **Section 4. Saving clause.** [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act].

NEW SECTION. **Section 5. Effective date.** [This act] is effective on passage and approval.

NEW SECTION. **Section 6. Termination.** [This act] terminates June 30, 2003.

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